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Attorney for Plaintiff ANTHONY LUCKEY

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA - FRESNO

ANTHONY LUCKEY,

Plaintiff,

v.

CITY OF PORTERVILLE and BRUCE
SOKOLOFF,

Defendant.

Case No.: 1:23-cv-00551 ADA BAM

Complaint Filed: April 7, 2023

**THIRD JOINT STIPULATION AND
~~[PROPOSED]~~ ORDER TO FILE FIRST
AMENDED COMPLAINT WITH RESPONSE
THERE TO**

TO THE COURT AND TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Plaintiff ANTHONY LUCKEY (“Plaintiff”) and Defendants CITY OF PORTERVILLE and
BRUCE SOKOLOFF (collectively referred to as “Defendants”), hereby stipulate to the
following:

WHEREAS, Plaintiff filed his Complaint (“Complaint”) with this Court on April 7, 2023;

WHEREAS, Defendants agreed to waive formal service of Summons;

WHEREAS, following review and evaluation of Plaintiff’s Complaint by defense counsel,
the respective counsel for the parties engaged in meet and confer communications;

1 WHEREAS, Plaintiff's counsel requested the opportunity to file a First Amended
2 Complaint; and

3 WHEREAS, defense counsel agreed to Plaintiff's request to file a First Amended
4 Complaint;

5 WHEREAS, counsel for Plaintiff and Defendants agreed to continue the date for filing the
6 Joint Scheduling Report and date set for the Scheduling Conference in light of the extended time
7 for the parties to file pleadings;

8 WHEREAS, the Court granted the parties' request;

9 WHEREAS, Plaintiff's counsel suffered a serious health issue, which required
10 hospitalization;

11 WHEREAS, counsel for Defendants agreed to further extensions of the deadlines and the
12 Court granted the parties' request;

13 WHEREAS, Plaintiff's counsel suffered a further complicating medical issue and counsel
14 for Defendants agreed to a short further extension;

15 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by the parties to this suit,
16 by and through their counsel of record, as follows:

- 17 1. Plaintiff will file a First Amended Complaint on or before August 9, 2023; and
18 2. Defendants will file a responsive pleading within 21 days of service of the First
19 Amended Complaint, or if Plaintiff does not file a First Amended Complaint by August 9, 2023,
20 Defendants will file a responsive pleading on or before August 30, 2023.

21 Dated: August 1, 2023

LIEBERT CASSIDY WHITMORE

22 By: /s/ Sue Ann Renfro

23 Jesse J. Maddox
24 Sue Ann Renfro
25 Attorneys for Defendants CITY OF
26 PORTERVILLE and BRUCE
27 SOKOLOFF
28

1 Dated: August 1, 2023

LAW OFFICES OF LAWRENCE J. KING

2
3 By: /s/ Lawrence J. King

4 Lawrence J. King
Attorneys for Plaintiff ANTHONY
LUCKEY

5
6 **ORDER**

7 Pursuant to stipulation and good cause appearing, it is hereby ordered that:

8 1. Plaintiff is granted leave to file a First Amended Complaint on or before August 9,
9 2023; and

10 2. Defendants will file a responsive pleading within 21 days of service of the First
11 Amended Complaint, or if Plaintiff does not file a First Amended Complaint by August 9, 2023,
12 Defendants will file a responsive pleading on or before August 30, 2023.

13 IT IS SO ORDERED.

14
15 Dated: August 3, 2023

/s/ Barbara A. McAuliffe
16 UNITED STATES MAGISTRATE JUDGE

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